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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

PAYWARD, INC. and PAYWARD
VENTURES, INC.,

Defendants.

Case No. 3:23-cv-06003-WHO

**STIPULATION AND ORDER MODIFYING
BRIEFING SCHEDULE FOR
DEFENDANTS' MOTION TO CERTIFY
ORDER FOR INTERLOCUTORY APPEAL**

Plaintiff Securities and Exchange Commission ("SEC") and Defendants Payward, Inc. and Payward Ventures, Inc. (collectively, "Kraken") hereby stipulate to the following briefing schedule and ask the Court to enter the Proposed Order:

1 **STIPULATION**

2 WHEREAS, on September 23, 2024, Kraken filed its Motion to Certify Order on Motion to
3 Dismiss for Interlocutory Appeal Under 28 U.S.C. § 1292(b), and the motion hearing date is
4 scheduled for December 4, 2024. Currently, the SEC's response to the motion must be filed no
5 later than October 7, 2024, and Kraken's reply is due by October 14, 2023.

6 WHEREAS, the parties have agreed to the following briefing schedule, which will provide
7 additional time for the parties to file their respective response and reply, but which will not change
8 or impact the above hearing date.

9 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties
10 that:

11 1. The SEC's Response to Kraken's Motion to Certify Order on Motion to Dismiss for
12 Interlocutory Appeal Under 28 U.S.C. § 1292(b) shall be filed no later than October 21, 2024; and

13 2. Kraken's Reply in Support of the Motion to Certify shall be filed no later November 4,
14 2024.

15 IT IS SO STIPULATED.

16 Dated: September 26, 2024

Respectfully submitted,

17 /s/ Peter Bryan Moores

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20 Elizabeth Goody

Counsel for Plaintiff

21 Securities and Exchange Commission

22 /s/ Brian E. Klein

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22 *Attorneys for Defendants Payward Inc. and*
23 *Payward Ventures, Inc.*
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Pursuant to the above Stipulation, IT IS SO ORDERED.

Dated: September 27, 2024


The Honorable William H. Orrick
United States District Judge

SEC v. Payward, Inc.; Payward Ventures, Inc.
United States District Court—Northern District of California
Case No. 3:23-cv-06003-WHO

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